

SENATE BILL 1336  
By Burchett

AN ACT to amend Tennessee Code Annotated, Section 49-2-301,  
relative to elected superintendents of schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-301, is amended by adding the  
following new subsection:

(e)

(1) Notwithstanding the provisions of subsections (a), or any other provisions of Chapter 535 of the Public Acts of 1992 to the contrary, any county or city operating a school system may re-establish the office of elected school superintendent by a two-thirds (2/3) vote of the membership of the county or city governing body. The office shall be filled by popular vote for a term of four (4) years. Elections shall be held at the regular August election. The person elected shall take office September 1 following the election. The elected school superintendent shall have all the powers provided to directors of schools and any reference to "director of schools" shall be deemed to be a reference to "superintendent" in those counties or cities which restore this office.

(2)

(A) If the office of elected school superintendent is re-established, this shall not act to abridge the contractual term of any appointed director of schools. If a county or city chooses to conduct an election prior to the expiration of a contract, it is the responsibility of the county or city governing body to satisfy any contractual obligation to an incumbent director of schools.

(B) No board of education shall appoint or extend the contract or term of a director of public schools after a county or city re-establishes the office of superintendent, but may appoint a qualified person as acting director until the office of superintendent is filled by the voters.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.